

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Pursuant to the authority of Iowa Code section 135M.4, the Department of Public Health hereby amends Chapter 109, "Prescription Drug Donation Repository Program," Iowa Administrative Code.

The rules in Chapter 109 describe the roles and responsibilities of the Iowa Prescription Drug Corporation, the current contractor for the Prescription Drug Donation Repository Program. These amendments make a few minor wording changes to enhance operations and program efficiencies.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 21, 2008, as **ARC 6799B**. One comment was received from the Iowa Prescription Drug Corporation. Based on that comment, the words "copy of" in subrule 109.7(4) have been struck and the words "summary of data taken from" added. An additional change has been made based on recently passed legislation. An amendment to paragraph "d" of subrule 109.4(4) has been added to include the language in 2008 Iowa Acts, Senate File 2177. Finally, based on a comment from a member of the State Board of Health, the word "intake" has been retained and the proposed addition of the word "data" has been removed in subrules 109.7(2) and 109.7(4).

These amendments were adopted by the State Board of Health on July 9, 2008.

These amendments will become effective on September 3, 2008.

These amendments are intended to implement Iowa Code chapter 135M as amended by 2008 Iowa Acts, Senate File 2177.

The following amendments are adopted.

ITEM 1. Amend paragraph **109.4(4)"d"** as follows:

d. The drug has an expiration date that is more than six months after the date that the drug was donated. However, a donated prescription drug bearing an expiration date that is six months or less after the date the prescription drug was donated may be accepted and distributed if the drug is in high demand and can be dispensed for use prior to the drug's expiration date;

ITEM 2. Amend subrule 109.7(2) as follows:

109.7(2) The local repository shall collect from each individual recipient a signed intake collection form provided by the department or its contractor ~~from each individual recipient~~.

a. The intake collection form shall attest that:

(1) to (5) No change.

b. The intake collection form will include ~~a receipt~~ an identification card to be given to the recipient for continued use for one year.

ITEM 3. Amend subrule 109.7(3) as follows:

109.7(3) The ~~receipt~~ identification card is valid for one year or until the new federal poverty guidelines have been published for all prescriptions and supplies.

ITEM 4. Amend subrule 109.7(4) as follows:

109.7(4) A ~~copy of~~ summary of data taken from the intake collection form is to be sent via regular mail, E-mail or facsimile to the centralized repository for data collection.

ITEM 5. Amend subrule 109.8(1) as follows:

109.8(1) The following forms developed for the administration of this program shall be utilized by participants of the program and are available on the program's Web page on the department's Web site, www.idph.state.ia.us.

a. Prescription drug donation repository program notice of participation or withdrawal.

b. Prescription drug donation repository program donation, transfer, inventory or destruction record.

~~*c.* Prescription drug donation repository program recipient intake form and identification card.~~

~~*d.*~~ *c.* A record of medications dispensed.

ITEM 6. Renumber subrule **109.8(2)** as **109.8(3)**.

ITEM 7. Adopt the following **new** subrule 109.8(2):

109.8(2) The prescription drug donation repository program recipient data collection form and identification card are given to the recipient by the local repository, and the completed data collection form is collected from the recipient by the local repository.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/30/08.